

**THE CORPORATION OF THE TOWNSHIP OF PERRY  
BY-LAW NO. 2002-06**

BEING A BY-LAW TO PROHIBIT THE UNAUTHORIZED DISPOSAL OF WASTE AND REGULATE WASTE DISPOSITION AT AUTHORIZED SITES WITHIN THE MUNICIPALITY.

WHEREAS it is in the interest of society as a whole and of the Township, its ratepayers in particular, that the amount of waste material generated by private citizens and businesses be reduced; that wherever possible, such materials be re-used or recycled; that the environment be protected from contamination by hazardous substances, and that the lifetime of existing and future Sanitary Landfill sites be extended

AND WHEREAS the Township of Perry has the authority to legislate for the establishment of a waste disposal system and to regulate or prohibit the disposal of waste material in any undefined area or throughout the municipality pursuant to the provisions of the Municipal Act, R.S.O. 1990, C. M-45, and in particular paragraphs 82, 92, and 135 of Section 210 and Section 314 S.S. 5.

NOW THEREFORE THAT COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PERRY ENACTS AS FOLLOWS:

1 TITLE

This By-Law may be cited as the "Township of Perry Comprehensive Waste Management By-Law".

2. APPLICATION

Unless otherwise expressly stated in specific sections hereof, this by-law shall apply to the whole area of the geographic Township of Perry, in the District of Parry Sound.

3. DEFINITIONS

- a) "COUNCIL" means the elected Council of the Corporation of the Township of Perry.
- b) "TS" means the Municipal Transfer Station(s).
- c) "MUNICIPAL RECYCLING CENTRE" means the real property owned by the Township at Part Lot 23, Concession 5, Township of Perry, District of Parry Sound for which a license has been issued by the Ontario Ministry of the Environment for the operation of a Transfer Station and Recycling Centre.
- d) "OCCUPANT" means any person or persons over the age of 18 who is a tenant or lessee, who has changed his or her mailing address and with occupancy of six months or more, or otherwise in lawful possession of a parcel of real property capable of being legally described in a deed or transfer who shall constitute the occupant or occupants of that real property.

- e) "OPERATING AUTHORITY" means Joint Waste Management Board by authority of the Councils of the Township of Perry and the Town of Kearney.
- f) "OWNER" means any of :
  - a person who is shown as one of the registered owners of real property in the records of the Land Registry or Land Title Office, or
  - a person who is shown as the assessed owner of real property on a current assessment roll for the Township, or
  - a person for the time being managing or receiving the rent of the land or premises, whether on his own account or as an agent or trustee for any other person.
- g) "PERSON" means a natural person or corporation and includes
  - every general partner in a firm, partnership or joint venture
  - the employer of any person who does something at the direction of his employer
  - the parent or guardian of any person under the age of 18 years who resides in the parent or guardian's household and does something at the direction of the parent or guardian.
- h) "PROHIBITED SUBSTANCES AND MATERIALS" means anything which is not permitted to be disposed of at the Transfer Stations and includes each and every of the substances and materials listed in Schedule "C" annexed to and forming part of this by-law and in addition thereto any substance or material which the Operating Authority or its employees have refused to accept for disposal or recycling when it has been inspected by them at the Transfer Station
- i) RECYCLABLE MATERIALS as set out in Schedule 'B' of this By-law and administered by the Waste Management Board.
- j) REFUSE as set out in Schedule 'D' of this By-law and administered by the Waste Management Board.
- k) "RULES AND REGULATIONS" means the rules and regulations for the use and operation of the Transfer Station set out in Schedule 'A' annexed to and forming part of this by-law.
- l) "TOWNSHIP" means the Municipal Corporation of the Township of Perry.

- 4 a) The Township shall operate a Municipal Recycling Centre on designated property owned by the Township. The use of the MRC for the disposal of refuse is a privilege and not a right which will normally be extended to all residents and ratepayers in the Township and such persons from whom the Waste Management Board may by contract agree to accept refuse.
- b) The Joint Landfill shall be operated by a Committee appointed by the Councils of the Township of Perry and the Town of Kearney, who shall jointly constitute the Waste Management Board.

- c) The Waste Management Board shall propose amendments to the Rules and Regulations for the operation of the Joint Landfill and Transfer Stations initially adopted as Schedule "A" to this by-law from time to time, and upon their adoption by By-law as amendments to Schedule 'A' of this by-law shall thereafter be binding upon all users of the Landfill site. The aim of such rules and regulations shall be consistent with the broad purposes expressed in this by-law. Public discussion and comment on changes to the Rules and Regulations shall be encouraged with the aim of improving their practical effectiveness; encouraging voluntary compliance; and avoiding unnecessary hardship to individual users. Copies of the Current Rules and Regulations as well as copies of Schedules 'B' and 'C' to this by-law defining Prohibited Substances and Materials and Recyclable Materials shall always be available for distribution at the Township Office.
- d) The Rules and Regulations may prescribe fees for the disposal of refuse of defined classes of refuse.
- e) The Waste Management Board may appoint such employees, contractors or designated volunteers to enforce the Rules and Regulations at the Transfer Station as it deems necessary.
- f) The Waste Management Board shall utilize a User Identification System, hereinafter called "UIS". Such UIS's shall be issued upon request to any adult Occupant or Owner of land within the Township and may be issued to any other person whose privilege of using the Transfer Station has not been terminated pursuant to paragraph (g) below. The UIS may only be used by the person to whom it was issued or an employee, spouse or member of the household of such person acting with the knowledge or consent of such person. The person to whom the UIS was issued may be held responsible for misuse of the UIS, its use by an unauthorized person, or any violation of the Rules and Regulations by any person using his UIS. The person to whom a UIS is issued is responsible for reporting its loss or theft, and shall be responsible for the cost of replacement.
- g) The Waste Management Board may suspend, terminate or restrict the privilege of using the Transfer Station and cancel the UIS of any person who misuses or allows the misuse of a UIS or violates any of the Rules and Regulations, PROVIDED THAT such suspension, restriction or termination is in accordance with the procedure set out below:
  - (A) An employee, contractor or designated volunteer of the Operating Authority may temporarily suspend the privileges of a UIS holder if, upon investigation of a person tendering refuse for disposal at the MRS or inspection of the said refuse, he reasonably believes a UIS card is being used by an unauthorized person or the Rules and Regulations are being violated and the person refuses to correct the violation when requested to do so. No such temporary suspension shall be for a period of more than seven days and every person so suspended may appeal to the Operating Authority.

- (B) If the Waste Management Board forms the opinion that the holder of a UIS has
- allowed unauthorized persons to use his UIS,
  - seriously and deliberately violated the Rules and Regulations,
  - established a pattern of violating the Rules and Regulations,
  - or permitted someone using his UIS to do any of the above,
- then the Waste Management Board may restrict or terminate the privilege of such person to use MRS and revoke his UIS.
- (C) Every decision of the Waste Management Board to terminate or restrict the right of someone to whom a UIS which was previously issued shall be set down in writing and delivered or mailed to the person at his address shown on the Assessment Roll for the Township or his last known address. Such written notice shall contain the following
- a brief description of the alleged violation including the approximate date thereof
  - the date on which the termination or the restrictions come into effect
  - where applicable, the details of the restrictions imposed
  - the fact that this decision of the Waste Management Board may be appealed in person or in writing to the Council.
- (D) If the Waste Management Board forms the opinion mentioned in (B) above and elects to restrict rather than terminate the privileges of a UIS holder, or on appeal of a termination the Council so decides, any or all of the following conditions or restrictions may be imposed:
- a requirement that refuse be brought to the TS at specified times on specified days
  - a requirement that the person submit to a detailed inspection of refuse tendered
  - a requirement that the person pay a special fee, in addition to any other fee normally imposed, equal to a genuine pre-estimate of the actual cost of any detailed inspections or sorting by employees of the refuse.

## 5 PROHIBITIONS

No Person Shall:

- (a) Dump or dispose of any refuse on a highway as defined in the Municipal Act and including both the travelled and untravelled portions thereof.
- (b) Dump or dispose of any refuse on any land owned by the Township or Her Majesty the Queen in right of either Canada or Ontario, except the TS or other site designated by Council from time to time for this purpose.

- (c) Dump or dispose of any refuse on any private land within the Township unless the land is described in a license to operate a waste disposal site issued by the Ontario Ministry of the Environment which was in existence on the date this by-law comes into force, provided that this subparagraph shall not prohibit the temporary storage of refuse pending other disposal or the composting of organic material all of which refuse or organic material originated on the parcel of land where it is stored.
- (d) No person shall store or compost refuse in a manner which permits the escape of noxious or unpleasant odours onto the property of any other person, but this subparagraph does not apply to a farmer's manure pile or the spreading of manure on fields or gardens
- (e) No person shall carry or transport refuse which originated outside the Township into the Township for dumping or disposal in the Township except under a contract approved by the Waste Management Board.
- (f) No person who is not either the holder of a UIS or an employee, agent or member of the household of a person who holds a UIS and who is acting with the knowledge and consent of such UIS holder, shall dispose of refuse at the TS.
- (g) No person shall deposit or dispose of refuse at or near the gates when the T.S. or Landfill is closed.
- (h) No person shall dispose of Prohibited Substances or Materials at the TS.
- (i) No person shall dispose of Recyclable Materials except by tendering them at the TS or other designated site properly sorted and bundled as required by the Rules and Regulations.
- (j) No person shall bring Recyclable Materials or Prohibited Substances or materials to the TS or other designated site concealed or packaged in such a way as to make them appear to be items, substances or materials which are not recyclable materials or prohibited substances and materials

## 6. OFFENSE AND PUNISHMENT

Any person who:

- (a) does any act prohibited by Section 5; or
- (b) permits the performance of any act which is prohibited by Section 5 on real property of which he is the owner or occupier, or
- (c) being the employer, parent or guardian of another person, directs his employee or a person under the age of 18 years who resides in his household to do any act prohibited by Section 5;

is guilty of an offense and is punishable upon conviction under the Provincial Offenses Act by a fine of not more than \$5,000.00

7. EXISTING BY-LAWS REPEALED

Upon the coming into force of this by-law, the following existing by-laws shall be repealed:

- By-Law #1007
- By-Law #1067
- By-Law #736

READ A FIRST AND SECOND TIME IN OPEN COUNCIL this 10<sup>th</sup> day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk

READ A THIRD TIME IN OPEN COUNCIL, AND FINALLY ENACTED THIS 17<sup>th</sup> day of April, 2002.

William Lou  
Reeve

Suzanne Kravitz  
Deputy Clerk

**SCHEDULE 'A' TO BY-LAW NO. 2002-06  
RULES AND REGULATIONS**

- (1) Users will separate, sort and place each type of garbage or other refuse in particular areas as directed by site attendants or signs. The categories are as follows
  - recyclable materials - as listed on Schedule 'B'; each of which is a separate category
  - metals
  - burnable items
  - building debris
  - household garbage and refuse
- (2) No user will set fire to any material.
- (3) The site attendant shall set a price for any item which a user wishes to purchase and his decision is final. No one may remove material from the site except with the knowledge and consent of the Attendant.
- (4) The following fees will be charged for the deposit or tipping of specified items or materials. The payment of fees does not relieve the user of the requirement to sort.

The payment of Tipping Fees shall be done at the time of dumping, unless prior arrangements are made. An invoice for outstanding fees will be issued. Payment is to be made within 30 days of receipt of this invoice.

A 2% interest per month fee will be charged on the unpaid balance of all invoices left unpaid after 30 days from date of invoice. Failure to pay within 90 days will result in cancellation of dumping privileges.

Large appliances and water tanks (hot water tanks, furnace, oil tanks) are \$10.00 per item

Sorted waste building materials or building debris to be burned:

- 40 yard containerized truck	\$400.00
- compacting garbage truck	\$250.00
- tandem dump truck	\$150.00
- single-axle truck	\$100.00
- pick-up truck or utility trailer	\$ 25.00

Goods and services tax (GST) will be added to the above prices

Each household will be allowed a maximum of 6 bags per month - additional bags will be assessed at \$1.00 per bag. There will be no carry over of bag limit from one month to the next month. A garbage bag for the purpose of this by-law shall be no larger than 26" X 36".

The charge for commercial refuse (Per A-1) which is put into the landfill site is \$10.00/cu. yard.

The charge for acceptance of tires is posted at the site

The charge for asphalt shingles and rolled roofing is \$120.00 per ton. (NOTE: Such shingles and roofing will be stored at the site, and moved periodically to the MCS depot, in Bracebridge).

**SCHEDULE 'A' TO BY-LAW NO. 2002-06  
RULES AND REGULATIONS (Cont'd)**

The fee for disposing of appliances containing refrigeration units (i.e. refrigerators, freezers, dehumidifiers, air conditioners, etc.) that are still charged with freon is \$35.00. This includes the cost for removing the freon and handling the appliance.

All furniture which is deposited at the Transfer Station will be subject to a fee of \$10.00 per item, or a fee prescribed by the Transfer Station Attendant, as appropriate.

**SCHEDULE 'B' TO BY-LAW NO. 2002-06**  
**Recyclable Materials**

- Newspapers, Catalogues, Magazines
- All Flyers/Inserts
- Telephone Books
- Corrugated Cardboard Boxes - broken down
- Clear Glass - sorted separately
- Coloured Glass - sorted separately
- Plastic Containers Marked as Recyclable - sorted separately
- Steel/Tin/Aluminum Food Cans/Drink Cans - sorted separately
- Tires - sorted separately
- Oil Containers - sorted separately
- Old Boxboard ( e.g. cereal, soap, tissue, etc)
- Fibre Egg Cartons
- Mixed Household Paper
- Brown (Kraft) Paper Bags
- Wax Coated Milk and Juice Cartons
- Aluminum Trays and Foil
- Polystyrene (Styrofoam)

**SCHEDULE 'C' TO BY-LAW NO. 2002-06**  
**Prohibited Substances and Materials**

- Hazardous or toxic substances, materials or chemicals
- Condemned or dead animals or their carcasses
- Human pathological waste
- Animal or human excrement or urine
- Explosives or highly flammable materials, substances or chemicals
- Rocks, logs or stumps
- Construction debris
- Motor vehicles or parts of motor vehicles including tires
- Waste oil or other petroleum products
- Items containing freon, or not bearing a sticker certifying freon removal
- Sawdust and /or shavings

**SCHEDULE 'D' TO BY-LAW NO. 2002-06**  
**Refuse**

- any liquid, substance or material which was purchased, otherwise acquired, made constructed or combined for use on any land or in any residence or business enterprise, or
  - any by-product or excess liquid, substance or material produced as a result of the creation of anything mentioned in the previous, or
  - any natural plant material or substance, whether cultivated or not, which has been removed from the place where it originally grew,
- and without limiting the generality of the foregoing, also includes
- new brick or used building or construction materials except brick, stone or concrete when used as fill material with the permission of the owner of land where they are deposited
  - the carcass of any dead animal or any part thereof
  - animal or vegetable or other waste resulting from the handling, preparation, cooking and consumption of food or drink
  - human urine or fecal material or the former contents of any septic tank or holding tank
  - animal fecal material except when used as manure
  - prohibited substances or materials

THE CORPORATION OF THE TOWNSHIP OF PERRY  
BY-LAW #2002-09

BEING A BY-LAW TO AMEND BY-LAW #2002-06,  
(WASTE DISPOSAL BY-LAW)

**WHEREAS** the Council of the Corporation of the Township of Perry has enacted a Waste Management By-Law,

**AND WHEREAS** the Township of Perry has the authority to legislate for the establishment and regulation of a waste disposal system,


**NOW THEREFORE** the Council of the Corporation of the Township of Perry enacts as follows.

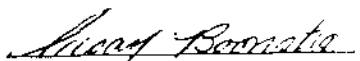
Schedule C to Township of Perry Comprehensive Waste Management By-Law, be amended by deleting the words "including tires" from line 8, and by deleting line 11, which reads, "Sawdust and/or shavings".

Schedule D to Township of Perry Comprehensive Waste Management By-Law, be amended by deleting the words "the carcass of any dead animal or any part thereof" and by deleting the words "human urine or fecal material or the former contents of any septic tank or holding tank", and by deleting the words "animal fecal material except when used as manure" and by deleting the words "prohibited substances or materials"

Read a First and Second Time this 15<sup>th</sup> day of May 2002.

Read a Third and Final Time and Enacted in Open council this 15<sup>th</sup> Day of May 2002.

  
Reeve

  
Deputy Clerk

THE CORPORATION OF THE TOWNSHIP OF PERRY  
BY-LAW #2002-09<sup>B</sup>

BEING A BY-LAW TO AMEND BY-LAW #2002-06,  
(WASTE DISPOSAL BY-LAW)

**WHEREAS** the Council of the Corporation of the Township of Perry has enacted a Waste Management By-law,

**AND WHEREAS** the Township of Perry has the authority to legislate for the establishment and regulation of a waste disposal system;

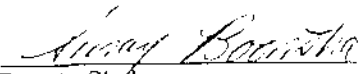
**NOW THEREFORE** the Council of the Corporation of the Township of Perry enacts as follows:

Schedule 'A' item (4) to Township of Perry Comprehensive Waste Management By-Law be amended by changing the charge for asphalt shingles and rolled roofing to \$130.00 per ton.

Read a First and Second Time this 15<sup>th</sup> day of July 2002

Read a Third and Final Time and Enacted in Open Council this 15<sup>th</sup> day of May, 2002.

  
Reeve

  
Deputy Clerk

THE CORPORATION OF THE TOWNSHIP OF PERRY  
BY-LAW #2003-03

BEING A BY-LAW TO AMEND BY-LAW #2002-06,  
(WASTE DISPOSAL BY-LAW)

**WHEREAS** the Council of the Corporation of the Township of Perry has enacted a Waste Management By-Law,

**AND WHEREAS** the Township of Perry has the authority to legislate for the establishment and regulation of a waste disposal system,

**NOW THEREFORE** the Council of the Corporation of the Township of Perry enacts as follows:

Schedule D to Township of Perry Comprehensive Waste Management By-Law, be amended by changing the wording on the first and second items to read:

"-any non-toxic liquid, substance or material which was purchased, otherwise acquired, made, constructed or combined for use on any land or in any residence or business enterprise, or

- any non-toxic by-product or excess liquid, substance or material produced as a result of the creation of anything mentioned in the previous, or"

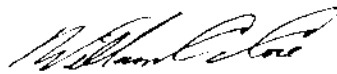
Schedule D to Township of Perry Comprehensive Waste Management By-Law, be amended by adding:

"-household animal fecal material except when used as manure"

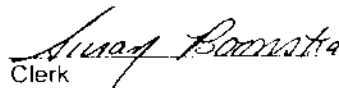
"-soiled diapers in normal household quantity"

Read a First and Second Time this 15<sup>th</sup> day of January, 2003.

Read a Third and Final Time and Enacted in Open Council this 15<sup>th</sup> day of January, 2003.



Reeve



Clerk

**BEING A BY-LAW TO AMEND BY-LAW #2002-06 (As Amended)  
(Waste Disposal By-law)**

WHEREAS the Council of the Corporation of the Township of Perry has enacted a Waste Management By-law;

AND WHEREAS the Township of Perry has the authority to legislate for the establishment and regulation of a waste disposal system;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PERRY ENACTS AS FOLLOWS:

1. THAT the first paragraph (paragraph (1) ) of Schedule 'A' of By-law #2002-06 (As Amended) shall be amended to read as follows:

(1) NO person shall carry or transport any materials from the following categories, which originated outside of the Township, into the Municipal Recycling Centre for dumping, disposal or recycling purposes:

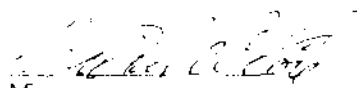
- Recyclable Materials- as listed on Schedule 'B', each of which is a separate category
- metals
- burnable items
- building debris, including building debris to be burned
- household or commercial garbage, recycling or refuse of any other type

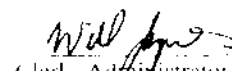
Users will separate, sort and place each type of garbage, recycling or refuse in particular areas as directed by site attendants or signs

2. THAT all other provisions of By-law #2002-06 (As Amended) shall continue as written and passed in Open Council, except as otherwise amended through By-law
3. THAT this By-law amendment shall come into force on the day in which it is passed a third and final time in Open Council

Read a first and second time this 2<sup>nd</sup> day of November, 2005.

Read a third and final time and enacted in Open Council this 2<sup>nd</sup> day of November, 2005.

  
Mayor

  
Clerk- Administrator

THE CORPORATION OF THE TOWNSHIP OF PERRY  
BY-LAW #2006-13

**BEING A BY-LAW TO AMEND BY-LAW #2002-06 (As Amended)  
(Waste Disposal By-law)**

WHEREAS the Council of the Corporation of the Township of Perry has enacted a Waste Management By-law;

AND WHEREAS the Township of Perry has the authority to legislate for the establishment and regulation of a waste disposal system;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF PERRY ENACTS AS FOLLOWS:

1. THAT Schedule 'A' of By-law #2002-06 (As Amended), under Item (4) reading:

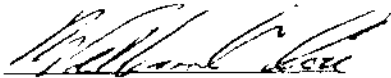
*Each household will be allowed a maximum of 6 bags per month and additional bags shall be assessed at \$1.00 per bag. There will be no carry over of bag limit from one month to the next month. A garbage bag for the purpose of this by-law shall be no larger than 26" by 36",*

Shall be deleted from By-law #2002-06.

2. THAT all other provisions of By-law #2002-06 (As Amended) shall continue as written and passed in Open Council, except as otherwise amended through By-law.
3. THAT this By-law amendment shall come into force on the day in which it is passed a third and final time in Open Council

Read a first and second time this 7 day of June, 2006.

Read a third and final time and enacted in Open Council this 7 day of June, 2006.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk- Administrator